

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

GUCCI AMERICA, INC.,

Plaintiff,

v.

SMART BARGAINS, INC., SMART  
BARGAINS CORPORATION and  
SMARTBARGAINS.COM,

Defendants.

Case No. 04-10492-DPW

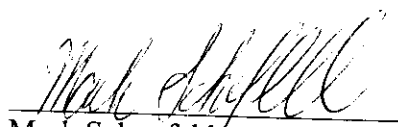
**JOINT MOTION FOR EXTENSION OF TIME**

Plaintiff Gucci America, Inc. and Defendants Smart Bargains, Inc., Smart Bargains Corporation and Smartbargains.com jointly move this Court for an order extending the time an additional ten (10) days, through and including Friday, September 3, 2004, for defendants Smart Bargains, Inc., Smart Bargains Corporation and Smartbargains.com to Answer or otherwise plead in response to plaintiff, Gucci America, Inc. This is the third requested extension and is sought to provide the parties additional time to discuss a negotiated resolution of the dispute.

Because defendants have not yet obtained local counsel, plaintiff is filing this motion as a courtesy to defendants.

GUCCI AMERICA, INC.

By:

  
Mark Schonfeld  
BBO No. 446980  
Burns & Levinson LLP  
125 Summer Street  
Boston, MA 02110  
(617) 345-3000

Dated: August 23, 2004

SMART BARGAINS, INC.,  
SMART BARGAINS CORPORATION and  
SMARTBARGAINS.COM

OF COUNSEL

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Kurt L. Grossman (admitted *pro hac vice*)  
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**CERTIFICATE OF SERVICE**

I hereby certify that a true copy of the above document  
was served upon the attorney of record for each other  
party by (hand) (mail) on AUG. 23, 2004

